

MINUTES, REGULAR MEETING
CITY COUNCIL, CITY OF LA CRESCENT, MINNESOTA
APRIL 22, 2013

Pursuant to due call and notice thereof, the second meeting of the City Council of the City of La Crescent for the month of April was called to order by Mayor Mike Poellinger at 5:30 PM in the La Crescent City Hall, La Crescent, Minnesota, on Monday, April 22, 2013, followed by the Pledge of Allegiance. Upon a roll call taken and tallied by the City Administrator, the following members were present: Members Bernie Buehler, John Graf, Greg Husmann, Dale Williams, and Mayor Mike Poellinger. Members absent: None. Also present was City Administrator Bill Waller and City Attorney Skip Wieser.

Mayor Poellinger asked if anyone wished to take action to change the agenda as presented. There were no changes requested.

ITEM 1 – CONSENT AGENDA

At this time, the Mayor read the following items to be considered as part of the Consent Agenda for this regular meeting:

- 1.1 MINUTES – APRIL 8, 2013
- 1.2 BILLS PAYABLE THROUGH APRIL 18, 2013
- 1.3 CASH BALANCE REPORT – MARCH 2013
- 1.4 LIBRARY FUND/BUDGET – MARCH 2013

At the conclusion of the reading of the Consent Agenda, Mayor Poellinger asked if the Council wished to have any of the items removed from the Consent Agenda for further discussion. Member Buehler made a motion, seconded by Member Graf, as follows:

A MOTION TO APPROVE THE CONSENT AGENDA AS PRESENTED

Upon a roll call vote taken and tallied by the City Administrator, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
John Graf	Yes
Greg Husmann	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

ITEM 3.1 – ANNUAL BOARD OF APPEAL/EQUALIZATION MEETING

At 5:30 PM the City Council convened the annual Board of Appeal meeting. Tom Dybing of the Houston County Assessor's office addressed the property owners present for the meeting and gave an overview of the appeal process and the handout for appeals. Mayor Poellinger then opened the meeting to the public. No action taken.

ITEM 3.2 – CALL FOR SPECIAL CITY COUNCIL MEETING

Council reviewed the recommendation that the City Council call for a special City Council meeting at 5:30 p.m., on Monday, April 29, 2013. The purpose of this meeting would be to review the proposed solid waste ordinance and suggested modifications, along with reviewing the proposals that were received to provide solid waste service to the City. It was also recommended to Council to add the Dresbach Trail and the proposed CIMS grant application to the agenda for this meeting. Following discussion, Member Husmann made a motion, seconded by Member Graf, as follows:

MOTION TO APPROVE A SPECIAL CITY COUNCIL MEETING AT 5:30 P.M., ON MONDAY, APRIL 29, 2013 TO REVIEW THE PROPOSED SOLID WASTE ORDINANCE AND SUGGESTED MODIFICATIONS, ALONG WITH REVIEWING THE PROPOSALS THAT WERE RECEIVED TO PROVIDE SOLID WASTE SERVICE TO THE CITY, AND ALSO TO REVIEW THE DRESBACH TRAIL AND THE PROPOSED CIMS GRANT APPLICATION.

Upon a roll call vote taken and tallied by the City Administrator, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
John Graf	Yes
Greg Husmann	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

ITEM 3.3 – BID RESULTS – SOUTH 14TH STREET IMPROVEMENT PROJECT

City Engineer Bill Angerman gave an overview and history of the South 14th Street improvement project to Council. He also reviewed the bids that were received for the project, indicating there were no irregularities in the bid. Upon review of the bids it was recommended to Council to accept the bid from Zenke Inc. in the amount of \$264,772.95, with a scheduled completion date of August 13, 2013. The bid included the addition of bike lanes and restricted parking. Following discussion, Member Graf made a motion, seconded by Member Williams, as follows:

MOTION TO ACCEPT THE BID FROM ZENKE INC. IN THE AMOUNT OF \$264,772.95 FOR THE SOUTH 14TH STREET IMPROVEMENT PROJECT WHICH INCLUDES THE ADDITION OF BIKE LANES AND RESTRICTED PARKING AND HAS A SCHEDULED COMPLETION DATE OF AUGUST 13, 2013.

Upon a roll call vote taken and tallied by the City Administrator, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
John Graf	Yes
Greg Husmann	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

ITEM 3.4 – SANDVIK ADMINISTRATIVE SUBDIVISION REVIEW

City Engineer Bill Angerman gave an overview of the status of the Sandvik administrative subdivision. The plan is complete and has entered the review stage. It was recommended to Council to authorize the payment of the final \$1,000 to \$1,500 to complete the administrative subdivision review process. Extended discussion ensued and following discussion, Member Husmann made a motion, seconded by Member Williams, as follows:

MOTION TO AUTHORIZE THE PAYMENT, NOT TO EXCEED \$1,500.00, TO COMPLETE THE ADMINISTRATIVE SUBDIVISION REVIEW PROCESS FOR THE SANDVIK SUBDIVISION.

Upon a roll call vote taken and tallied by the City Administrator, the following Members present voted in favor thereof, viz;

John Graf	Yes
Greg Husmann	Yes
Dale Williams	Yes
Mike Poellinger	Yes

with Member Bernie Buehler voting against the same. The motion was declared duly carried by a 4-1 vote.

ITEM 3.5 – CRUCIFIXION CHURCH/SUMMERFEST REQUEST

Council reviewed an application from the Church of the Crucifixion for a 1-4 day temporary on-sale liquor license for the 2013 SummerFest to be held on August 9-11, 2013. City Administrator informed the Council that the application was in order and following discussion, Member Buehler made a motion, seconded by Member Graf, as follows:

MOTION TO GRANT CHURCH OF THE CRUCIFIXION A 1-4 day TEMPORARY on-sale liquor LICENSE FOR THE 2013 SUMMERFEST TO BE HELD AUGUST 9-11, 2013.

Upon a roll call vote taken and tallied by the City Administrator, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
John Graf	Yes
Greg Husmann	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

As part of the SummerFest event they also requested a temporary street closure to block South 2nd Street, between Elm and Oak Street and the alley between Oak and Elm and South 1st and 2nd Streets.

ITEM 3.6 – MnDOT RESOLUTION/AGREEMENT – MISSISSIPPI RIVER TRAIL SIGNAGE

Council reviewed correspondence from MnDOT regarding the installation of signs for the Mississippi River Trail (MRT). MnDOT is proposing to pay for the cost of providing and installing the MRT signs along City streets that are utilized as part of the MRT. This would consist of approximately 20 signs. There would be no cost to the City for providing and installing these signs. It was recommended that Council approve a Cooperative Construction Agreement for the project in which the City would agree to maintain and replace any signs that are damaged or destroyed. MnDOT will have a limited number of replacement signs available to communities. Following discussion, Member Buehler made a motion, seconded by Member Williams, as follows:

MOTION TO APPROVE THE COOPERATIVE CONSTRUCTION AGREEMENT WITH MNDOT FOR THE INSTALLATION OF SIGNS FOR THE MISSISSIPPI RIVER TRAIL (MRT) WHICH STATES MNDOT IS TO PAY FOR THE COST OF PROVIDING AND INSTALLING THE MRT SIGNS ALONG CITY OF LA CRESCENT STREETS THAT ARE UTILIZED AS PART OF THE MRT AND THE CITY OF LA CRESCENT CITY AGREES TO MAINTAIN AND REPLACE ANY SIGNS THAT ARE DAMAGED OR DESTROYED.

Upon a roll call vote taken and tallied by the City Administrator, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
John Graf	Yes
Greg Husmann	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

Council also reviewed the proposed Resolution to install the MRT signs. Following discussion, Member Buehler introduced the following resolution and moved its passage and adoption:

RESOLUTION NO. 04-13-09

RESOLUTION APPROVING CITY OF LA CRESCENT ENTER INTO MNDOT AGREEMENT NO. 03640 WITH THE STATE OF MINNESOTA, DEPARTMENT OF TRANSPORTATION

IT IS RESOLVED that the City of La Crescent enter into MnDOT Agreement No. 03640 with the State of Minnesota, Department of Transportation for the following purposes:

To provide for the State to enter upon City Right of Way to install Mississippi River Trail signing along the designated Mississippi River Trail route on City roadways and for the City to provide for the proper maintenance of the route signing. Such work will be conducted under State Project No. 8826-139 (T.H. 61) and State Aid Project No. 091-060-103.

IT IS FURTHER RESOLVED that the Mayor and the City Administrator are authorized to execute the Agreement and any amendments to the Agreement.

ADOPTED this 22nd day of April, 2013.

SIGNED:

Mayor

ATTEST:

City Administrator

The foregoing motion was duly seconded by Member Williams and upon a roll call vote taken and tallied by the City Administrator, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
John Graf	Yes
Greg Husmann	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried and the resolution duly passed and adopted.

ITEM 3.7 – EAB UPDATE/REVIEW

Administrator Waller gave an overview to Council regarding the Ash trees in the City of La Crescent infested or suspected of being infested with EAB. In the Park Street area two infested trees have been removed and property owners have agreed to treat two trees. There are 4 remaining Ash trees that are located on private property that are infested. It was recommended to be in the City's best interest to work with these property owners and to authorize that these two property owners have the option of having the cost of removing these 4 trees placed on their property taxes as a special assessment. The terms would be over 10 years, at 0% interest, with a \$150 fee added to the assessment to reflect the legal cost of preparing the required assessment waivers and recording the assessment on the property. This is proposed only for the spring of 2013 and is proposed as an interim option pending finalization of DNR grants and approval of comprehensive ordinance. Following discussion, Member Husmann made a motion, seconded by Member Williams, as follows:

MOTION TO APPROVE A SPECIAL ASSESSMENT BE ADDED TO THE PROPERTY TAXES OF THE TWO PROPERTY OWNERS WHO HAVE TREES INFESTED WITH EAB FOR THE COST OF REMOVING THESE 4 TREES WITH THE TERMS OF THE ASSESSMENT TO BE OVER 10 YEARS AT 0% INTEREST, WITH A \$150 FEE ADDED TO THE ASSESSMENT TO REFLECT THE LEGAL COST OF PREPARING THE REQUIRED ASSESSMENT WAIVERS AND RECORDING THE ASSESSMENT ON THE PROPERTY AND WOULD ONLY APPLY FOR THE SPRING OF 2013.

Upon a roll call vote taken and tallied by the City Administrator, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
John Graf	Yes
Greg Husmann	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

ITEM 3.8 – ACCEPT DONATION – TRI-STATE TWO CYLINDER CLUB

Tri-State Two-Cylinder Club presented the City with a donation of \$150.00 for the use of the Community Building. Following discussion, Member Buehler introduced the following resolution and moved its passage and adoption:

RESOLUTION NO. 04-13-10

RESOLUTION ACCEPTING DONATION FROM TRI-STATE TWO-CYLINDER CLUB FOR USE OF COMMUNITY BUILDING

WHEREAS, the Tri-State Two-Cylinder Club wishes to donate \$150.00 to the City for the Club's use of the Community Building.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of La Crescent hereby approves the donation from the Tri-State Two-Cylinder Club in the amount of \$150.00.

ADOPTED this 22nd day of April, 2013.

SIGNED:

Mayor

ATTEST:

City Administrator

The foregoing motion was duly seconded by Member Graf and upon a roll call vote taken and tallied by the City Administrator, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
John Graf	Yes
Greg Husmann	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried and the resolution duly passed and adopted.

ITEM 3.9 – BLOCK PARTY REQUEST

Council reviewed a request from Mary Ann Graf for permission to block off a section of Juniper Street from 12th Street to 14th Street for a block party/graduation party on June 15, 2013 from approximately 12:00 noon to 12:00 midnight. It would allow for access for emergency vehicles. They would also like to have a fire using a metal pit with legs that evening on the street but if fire restrictions in place at that time they would not have the fire. Following discussion, Member Buehler made a motion, seconded by Member Husmann, as follows:

MOTION TO APPROVE THE REQUEST TO BLOCK OFF A SECTION OF JUNIPER STREET IN THE CITY OF LA CRESCENT FROM 12TH STREET TO 14TH STREET FOR A BLOCK PARTY/GRADUATION PARTY ON JUNE 15, 2013 FROM APPROXIMATELY 12:00 NOON TO 12:00 MIDNIGHT AND TO ALLOW FOR A FIRE USING A METAL PIT WITH LEGS THAT EVENING ON THE STREET BUT IN ACCORDANCE TO ANY FIRE RESTRICTIONS AND ALSO TO ALLOW FOR ACCESS FOR EMERGENCY VEHICLES IN THIS AREA.

Upon a roll call vote taken and tallied by the City Administrator, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
John Graf	Yes
Greg Husmann	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

ITEM 6.1 – 2012 FIRE DEPARTMENT ANNUAL REPORT

Council reviewed the La Crescent Fire Department 2012 Annual Report. No action taken.

ITEM 6.2 – LIBRARY BOARD MEETING MINUTES – DECEMBER 11, 2012

Council reviewed the minutes from the December 11, 2012 La Crescent Library Board Meeting. No action taken.

ITEM 6.3 – LIBRARY BOARD MEETING MINUTES - FEBRUARY 12, 2012

Council reviewed the minutes from the February 12, 2013 La Crescent Library Board Meeting. No action taken.

ITEM 7.1 – MINNESOTA DEPARTMENT OF HEALTH - REPORT

Council reviewed correspondence from Minnesota Department of Health dated April 11, 2013 which included the sanitary survey report summarizing an on-site inspection of the La Crescent Public Water Supply. No action taken.

Chamber of Commerce gave a brief overview.

There being no further business to come before the Council at this time, Member Buehler made a motion, seconded by Member Graf, to adjourn the meeting. Upon a roll call vote taken and tallied by the City Administrator, all Members voted in favor thereof, viz;

Bernie Buehler	Yes
John Graf	Yes
Greg Husmann	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried and the meeting duly adjourned at 6:50 PM.

APPROVAL DATE: _____

SIGNED:

Mayor

ATTEST:

City Administrator